

102D CONGRESS
2d Session

SENATE

REPORT
102-386

**CERTIFICATE OF DOCUMENTATION FOR THE
FISH PROCESSING VESSEL "YUPIK STAR"**

Mr. HOLLINGS, from the Committee on Commerce, Science,
and Transportation, submitted the following

R E P O R T

OF THE

**SENATE COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION**

ON

S. 2768



AUGUST 12 (legislative day, AUGUST 5), 1992.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

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Mr. HOLLINGS, from the Committee on Commerce, Science, and
Transportation, submitted the following

REPORT

[To accompany S. 2768]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 2768) to authorize a certificate of documentation for the fish processing vessel *Yupik Star*, having considered the same, reports favorably thereon and recommends that the bill do pass.

PURPOSE OF THE LEGISLATION

S. 2768, as reported, grants coastwise trading privileges to the vessel *Yupik Star*.

BACKGROUND AND NEEDS

Subject to certain limitations, the law known as the Jones Act (section 27 of the Merchant Marine Act, 1920), together with sections 12106, 12107, and 12108 of title 46, U.S. Code, provides that only those vessels built in the United States, continuously documented under the laws of the United States, and continuously owned by U.S. citizens may transport merchandise or passengers in the coastwise trade, or engage in the fisheries of the United States.

Where the facts applicable to a particular vessel suggest that the U.S.-built or U.S.-owned requirements have not been satisfied, the Coast Guard may not issue a document granting coastwise trading or fisheries privileges for that vessel unless the requirements of the Jones Act and title 46 are statutorily waived.

The vessel *Yupik Star*, U.S. Official No. 900823, is a fish processing vessel that was built in Japan in 1970. It was purchased by the

Yupik Star Seafoods, Inc. of Anchorage, AK, in January 1992. The owners purchased the vessel with the intention of using it as a salmon processing vessel.

Because the vessel was not built in the United States, the owners have not been able to obtain coastwise trade privileges for the *Yupik Star*. Therefore, they are seeking a statutory waiver of the Jones Act and title 46 for the vessel.

LEGISLATIVE HISTORY

S. 2768 was introduced in the Senate on May 21, 1992, by Senator Stevens. In open executive session on June 16, 1992, the Committee considered S. 2768 and ordered the legislation reported favorably without objection and without amendment.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
June 22, 1992.

HON. ERNEST F. HOLLINGS,
*Chairman, Committee on Commerce, Science, and Transportation,
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 2768, a bill to authorize a certificate of documentation for the fish processing vessel *Yupik Star*, as ordered reported by the Senate Committee on Commerce, Science, and Transportation on June 16, 1992. Enactment of S. 2768 would not result in any cost to the federal government or to state or local governments.

Enactment of S. 2768 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226-2860.

Sincerely,

ROBERT D. REISCHAUER,
Director.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported.

Because S. 2768 does not create any new programs, the legislation will have no additional regulatory impact and will result in no additional reporting requirements. The legislation will have no further effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal privacy of affected individuals, or the paperwork required from such individuals and businesses.

SECTION-BY-SECTION ANALYSIS

The bill consists of one section. It provides that, notwithstanding section 12106 of title 46, U.S. Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of the enactment of this legislation, the vessel *Yupik Star*, U.S. Official No. 900823, is eligible to engage in the coastwise trade, and the Secretary of Transportation may issue a certificate of documentation for the vessel.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.

